IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 23954 of 2004

Between

C. Madhu, S/o. Devarajulu

r/o.H.No. 5-70, Tiruchanoor Village,

Tirupathi Urban Mandal, Chittoor Dsitrict.

..... PETITIONER

AND

1. The State of Andhra Pradesh,, Rep by its District Collector,

Chittoor District, at Chittoor
2 The Mandal Revenue Officer.

Tirupathi Urban Mandal, Chittoor District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not mutating the name of the petitioenr in the related revenue records in spite of complying with the conditions stipulated under the Record of Rights in Pattedar Pass Book Act, 1971 as being illegal, arbitrary, apart from being violative of Articles 14, 21 and 300-A of the Constitution of India, and the Principles of Natural Justice and consequently direct the respondent to mutate the name of the petitioner in the relevant revenue records in respect of S.No. 64/3 of Akkarampalli Village, Tirupathi Urban Mandal, Chittoor District to an extent of 0.90 cents, and grant such other relief.

Counsel for the Petitioner:MR.D.SESHADRI NAIDU

Counsel for the Respondents.: GP FOR REVENUE

The Court made the following :

ORDER:

The petitioner made a representation dated 06-02-03 before the Mandal Revenue Officer, 2nd respondent, requesting to enter the name of his father T. Devarajulu in the Revenue Records as pattedar in respect of 0.90 cents of land situated in Sy.No.63/4 of Akkarampalli Village. In pursuance of the said representation the Mandal Revenue Officer issued notice dated 04-06 2004 calling for objections if any from all the concerned on or before 11-06-2004. The only grievance of the petitioner in this writ petition is that thereafter the Mandal Revenue Officer failed to take any further steps and his representation dated 06-02-2003 has been kept pending till date. Hence, this writ petition seeking a declaration that the inaction on the part of the respondents is arbitrary and illegal.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents, without expressing any opinion with regard to the claim made by the petitioner in the representation dated

06-02-2003, the writ petition is disposed of with a direction to the 2nd respondent to conclude the enquiry in pursuance of the representation of the petitioner dated 06-02-2003 and pass appropriate orders in accordance with law as expeditiously as possible, preferable within a period of six weeks from the date of receipt of a copy of this order. No costs.

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G. ROHINI, J

BJ/

To

1 The State of Andhra Pradesh,, Rep by its District Collector,

Chittoor District, at Chittoor

2 The Mandal Revenue Officer.

Tirupathi Urban Mandal, Chittoor District.

3. 2 CCs. to G.P. for Revenue, High Court Bldgs., Hyd. (OUT)

4. 2 CD copies.

THE HON'BLE MS. JUSTICE G. ROHINI

W.P.No. 23954 of 2004

22nd December, 2004